IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 442 OF 2005

IN

FIRST APPEAL NO. 22 OF 2003

M/S SHIRDI STEEL RE-ROLLERS(P) LTD., CUNCOLIM GOA. ....Applicants

Versus

THE EXECUTIVE ENGINEER IV AND ORS., ...Respondents

Shri N. Noironha, Advocate for the Applicants.

Shri S. Vahidulla, Addl. Govt. Advocate for the Respondents.

Coram:- R. M. LODHA &
N. A. BRITTO, JJ.

Date:- 12th September, 2005

P.C.:

The Applicant has prayed that out of the amount of Rs.6,35,705/- deposited by the Appellants in First Appeal No.22/2003, the Applicant be paid an amount of Rs.5,40,986/-.

The learned counsel for the original appellants in F.A. No.22/03 submits that the Applicant may be permitted to withdraw a sum of Rs.5,40,986/- out of the amount of Rs.6,35,705/- deposited by the appellants and the remaining amount along with the accrued interest be refunded to the original appellants.

In the light of the submission of the learned counsel for the parties, we dispose of this Misc. Civil Application by the following Order :-

i) The Registrar is directed to permit the Applicant namely M/s Shirdi Steel Re-Rollers (P) Ltd. to withdraw an amount of Rs.5,40,986/- out of the amount of Rs.6,35,705/- deposited by the original Appellants.

ii) The remaining amount along with the accrued interest shall be refunded to the original appellants.

R. M. LODHA, J.

N. A. BRITTO, J.